

PROB12A1

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**REPORT OF OFFENDER NON-COMPLIANCE**

**Offender Name:** Steven M. ZUWALA

**Docket Number:** 1:97CR05234-01

**Offender Address:** Wailuku, Hawaii

**Judicial Officer:** Honorable Oliver W. Wanger  
United States District Judge  
Fresno, California

**Original Sentence Date:** 06/09/1999

**Original Offense:** Counts 1-5: 18 USC 1341 - Mail Fraud  
(CLASS D FELONIES);  
Counts 6, 14, and 15: 18 USC 401(3) - Contempt of  
Court  
(CLASS B MISDEMEANORS);  
Counts 16-19: 42 USC 401(a)(7)(B) - Misuse of Social  
Security Number  
(CLASS D FELONIES)

**Original Sentence:** 57 months Bureau of Prisons; 3-year term of supervised  
release; \$975 special assessment; \$50,512 restitution.

**Special Conditions:** Search, Financial disclosure; Financial restrictions.

**Type of Supervision:** Supervised Release

**Supervision Commenced:** 03/18/2003

**Assistant U.S. Attorney:** Stanley A. Boone   **Telephone:** (559) 497-4099

**Defense Attorney:** Ann H. Voris   **Telephone:** (559) 487-5561  
Assistant Federal Defender

**Other Court Action:** None.

**RE: Steven M. ZUWALA**  
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### **NON-COMPLIANCE SUMMARY**

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

#### **1. FAILURE TO PAY FULL RESTITUTION**

**Details of alleged non-compliance:** While under supervision in the Eastern District of California and the District of Hawaii, the defendant has made restitution payments totaling \$2,850. While in custody serving his prison term, he satisfied his special assessment and paid an additional \$826 toward restitution, leaving a current outstanding balance owed of \$47,811.

According to the probation officer in the District of Hawaii, the offender has been employed in a hotel and has made regular payments toward the balance. He also has been working on securing a recording contract which should generate income and could satisfy the balance of restitution. There is no current evidence that he has other resources presently available to contribute towards restitution. There have been no other violations of supervision.

**United States Probation Officer Plan/Justification:** The offender's supervision term is set to expire on March 17, 2006, with a substantial balance remaining on his restitution order, despite his "good faith" efforts at payment. The United States Attorney's Office, Financial Litigation Unit will be notified by copy of this report of the approaching expiration date. The offender will be instructed to contact that office and to continue making regular

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monthly payments. It is recommended that the Court allow the term of supervised release to expire with the balance outstanding, absent any additional violation conduct.

Respectfully submitted,

/s/ John A. Poglinco

**JOHN A. POGLINCO**  
**Senior United States Probation Officer**  
Telephone: (916) 930-4303

**DATED:** February 16, 2006  
Sacramento, California  
JAP:jz

**REVIEWED BY:** /s/ Kyriacos M. Simonidis  
**KYRIACOS M. SIMONIDIS**  
**Supervising United States Probation Officer**

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**THE COURT ORDERS:**

- ( x ) The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.
- ( ) Submit a Request for Modifying the Conditions or Term of Supervision.
- ( ) Submit a Request for Warrant or Summons.
- ( ) Other:

**Feb. 23, 2006**

**Date**

**/s/ OLIVER W. WANGER**

**Signature of Judicial Officer**

cc: United States Probation  
Stanley A. Boone - Assistant United States Attorney  
Ann H. Voris - Assistant Federal Defender  
Financial Litigation Unit - U.S. Attorney's Office

Attachment: Presentence Report (Sacramento only)